

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

IN RE:
JACOB HALEY NASH
2160 GENEVA LN

Case No: G G 23-02579
Date Filed: 11/7/23
Chapter 13
Honorable: John T. Gregg

NORTON SHORES MI 49441
Debtor(s)

/

**TRUSTEE'S OBJECTION TO CONFIRMATION
OF DEBTOR'S PLAN AND PROOF OF SERVICE**

Now comes the Chapter 13 Trustee, BRETT N. RODGERS, and objects to the Debtor's(s) Chapter 13 Plan for failure to comply with the below indicated confirmation standards:

(X) Section 1325(a)(3) and 1325(b)(1)(B): The plan is not proposed in good faith: Debtors do not commit all projected disposable income for the applicable commitment period. The debtors' budget includes unreasonably high expenses for a household of 5 which include, but are not limited to, the following: \$1,430.82/month food/housekeeping, \$715/month transportation, and \$2,800/month minor children's future education/sports & activities. Overall, after mortgage, the household of 5 is living on \$7,385.82 after mortgage and proposing to pay \$0 to unsecured creditors.

(X) Section 1325(a)(4) - Allowed unsecured creditors would receive less than they would in a Chapter 7: Failure to amend Plan to state Chapter 7 liquidation amount is \$34,803.67 and increase base to unsecured to \$34,803.67. Based on the Trustee's review of documents, it appears there may have been a fraudulent conveyance of debtor's current residence as it used to be held jointly with debtor & his fiancé but he deeded it to solely her name in October 2019.

(X) Section 1322(d) - Plan exceeds 60 months. The Plan currently runs 95 months. Failure to amend Plan to increase payments to at least \$420/month per month for feasibility.

(X) 11 USC Section 521 and Bankruptcy Rule 4002 - failure to cooperate with the Trustee to provide the following requested documents: recorded mortgage, payroll order, attorney fee agreement filed with court, 401k statement, evidence of home insurance, and vehicle insurance

(X) Other: Failure to amend Plan III.F to provide base to unsecured creditors. Failure to provide proper notice of bankruptcy and Chapter 13 Plan to First Progress Card. Failure to amend Plan III.C.3 to decrease the secured claim amount to \$15,467.23 based on the amended claim filed by Internal Revenue Service.

Dated: 1/10/2024

/s/ Brett N. Rodgers
Brett N. Rodgers, Trustee

PROOF OF SERVICE

This Objection to Confirmation was served electronically upon the attorney for the debtor(s), if applicable, and the debtor(s) by the BNC.

ATTORNEY FOR THE DEBTOR(S): RYAN B. MORAN